

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of New York

LEE VALLEY TOOLS, LTD., VERITAS TOOLS, INC.
(Canada), and VERITAS TOOLS, INC. (USA),

Plaintiff

v.

WOODCRAFT SUPPLY LLC, INDUSTRIAL BLADE
COMPANY, and ROBERT COSMAN,

Defendant

Civil Action No. **10 CV 6246** *CTS*

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Industrial Blade Company
224 Milvan Drive
North York, ON M9L 2A5, Canada

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

MAY - 5 2010

Date: _____

CLERK OF COURT

Michael J. Roemer

Signature of Clerk or Deputy Clerk

CERTIFICATE

The undersigned authority has the honour to certify, in conformity with Article 6 of the Convention,

1) * that the document has been served

- the (date) 25th day of August, 2010

- at (place, street, number)

224 Milvan Drive, in the City of Toronto, Province of Ontario.

- in one of the following methods authorised by Article 5:

☐ (a) in accordance with the provisions of sub-paragraph (a) of the first paragraph of Article 5 of the Convention.**

☐ (b) in accordance with the following particular method:**

☐ (c) by delivery to the addressee, who accepted it voluntarily.**

The documents referred to in the request have been delivered to:

- (identity and description of person)

Brian Rabinovitch

- relationship to the addressee (family, business or other):

Owner of Industrial Blade Company

2) * that the document has not been served, by reason of the following facts:

In conformity with the second paragraph of Article 12 of the Convention, the applicant is requested to pay or reimburse the expenses detailed in the attached statement. **

-- ANNEXES --

Documents returned:

In appropriate cases, documents establishing the service:

As per the request for service- Attached

Done at Toronto, Ont., , the 27th of Aug.2010

Signature and/or stamp

A handwritten signature in dark ink, followed by a circular stamp containing the number '12'.

REQUEST
FOR SERVICE ABROAD OF JUDICIAL OR EXTRA JUDICIAL DOCUMENTS

DEMANDE
AUX FINS DE SIGNIFICATION OU DE NOTIFICATION A L'ETRANGER
D'UN ACTE JUDICIAIRE OU EXTRAJUDICIAIRE

Convention on the service abroad of judicial and extrajudicial documents in civil or
commercial matters, signed at The Hague, November 15, 1965

*Convention relative à la signification et à la notification à l'étranger des actes judiciaires ou extrajudiciaires en matière civile
commerciale, signée à La Hage, le 15 Novembre 1965.*

Identity and address of the applicant
Identité et adresse du requérant

L. Celeste Ingalls**
Crowe Foreign Services
1020 SW Taylor Street, Suite 240
Portland, Oregon 97205
USA
Email: Lci@foreignservices.com

Fax Number: 1-503-222-3950

Address of receiving authority
Adresse de l'autorité destinataire

Ministry of the Attorney General
Ontario Court of Justice
393 Main Street
Haileybury, ON P0J 1K0
Canada

T (705) 672-3395 ext. 214 F (705) 672-3360

The undersigned applicant has the honour to transmit - in duplicate - the documents listed below and, in conformity with article 5 of the above-mentioned Convention, requests prompt service of one copy thereof on the addressee, i.e.,
(identity and address)

Le requérant soussigné a l'honneur de faire parvenir - en double exemplaire - à l'autorité destinataire les documents ci-dessous énumérés en la priant conformément à l'article 5 de la Convention précitée, d'en faire remettre sans retard un exemplaire au destinataire, savior:
(identité et adresse)

Industrial Blade Company
224 Milvan Drive
North York, Ontario M9L 2A5

- ☒ (a) in accordance with the provisions of sub-paragraph (a) of the first paragraph of article 5 of the Convention.*
a) selon les formes légales (article 5, alinéa premier, lettre a).
- ☐ (b) in accordance with the following particular method (sub-paragraph (b) of the first paragraph of article 5)*:
b) selon la forme particulière suivante (article 5, alinéa premier, lettre b):
- ☐ (c) by delivery to the addressee, if he accepts it voluntarily (second paragraph of article 5)*.
c) le cas échéant, par remise simple (article 5, alinéa 2).

The authority is requested to return or to have returned to the applicant a copy of the documents - and of the annexes* - with a certificate as provided on the reverse side.

Cette autorité est priée de renvoyer ou de faire renvoyer au requérant un exemplaire de l'acte - et de ses annexes - avec l'attestation figurant au verso.

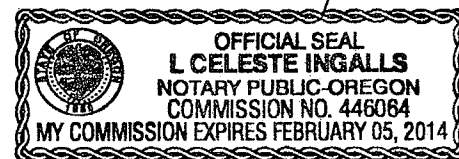
List of documents

Énumération des pièces

Executed "Summary" (2 pages)
Summons in a Civil Action
Civil Cover Sheet
Complaint
Plaintiffs' Rule 7.1 Statement

Done at Portland, Oregon, USA, the 24th day of May, 2010.
Fait à Portland, Oregon, USA, le...

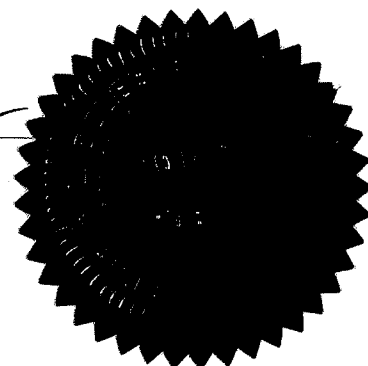
Signature and/or stamp.
Signature et/ou cachet



L. Celeste Ingalls
L. Celeste Ingalls

*Delete if inappropriate
Rayer les mentions inutiles

**
Authorized applicant pursuant to Rule 4(c)(2) of the
Federal Rules of Civil Procedure, Public Law 97-462



SUMMARY OF THE DOCUMENT TO BE SERVED

ELEMENTS ESSENTIELS DE L'ACTE

Convention on the service abroad of judicial and extrajudicial documents in civil or commercial matters, signed at The Hague, November 15, 1965

Convention relative à la signification et à la notification à l'étranger des actes judiciaires et extrajudiciaires en matière civile ou commerciale, signée à La Hage, le 15 Novembre 1965.

(article 5, fourth paragraph)
(article 5, alinéa 4)

Name and address of the requesting authority:
Nom et adresse de l'autorité requérante:

**L. Celeste Ingalls
Crowe Foreign Services
1020 SW Taylor Street, Suite 240
Portland, Oregon, USA 97205**

Particulars of the parties*:
Identité des parties:

**Lee Valley Tools, Ltd., et al. PLAINTIFFS
Woodcraft Supply LLC, et al DEFENDANTS**

JUDICIAL DOCUMENT**
ACTE JUDICIAIRE

Nature and purpose of the document:

Nature et objet de l'acte: **To give notice to defendant, Industrial Blade Company, of the institution against it of a claim for civil damages and to summon it to answer the claim.**

Nature and purpose of the proceedings, and, where appropriate, the amount in dispute:
Nature et objet de l'instance, le cas échéant, le montant du litige:

Civil claim for false advertising and other related claims. Plaintiffs' claim includes, but is not limited to, allegations that defendants have caused the publication of false advertisements and marketing materials resulting in degradation of Plaintiffs' reputation and causing Plaintiffs to suffer damages. Plaintiffs seek judgment including, but not limited to, permanent injunction against Defendant, damages in an amount including, but not limited to, costs of suit, attorneys fees, and such other and further relief as the Court deems just and proper.

Date and place for entering appearance:** **N/A**
Date et lieu de la comparution:

Court which has given judgment:** **N/A**
Juridiction qui a rendu la décision:

Date of judgment:** **N/A**
Date de la décision:

Time limits stated in the document:**

Indication des délais figurant dans l'acte: **Defendant is required to serve an ANSWER upon Plaintiff's attorney and file same ANSWER with the Court within twenty-one (21) days after having received the Summons and other documents herein.**

EXTRAJUDICIAL DOCUMENT*
ACTE EXTRAJUDICIAIRE

Nature and purpose of the document: **N/A**
Nature et objet de l'acte:

Time limits stated in the document:** **N/A**
Indication des délais figurant dans l'acte:

*** If appropriate, identity and address of the person interested in the transmission of the document.**
S'il y a lieu, identité et adresse de la personne intéressée à la transmission de l'acte.

**** Delete if inappropriate.**
Rayer les mentions inutiles.

**SUMMARY OF THE DOCUMENT TO BE SERVED
PAGE 2 OF 2**

*Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters,
signed at The Hague, the 15th of November 1965
(Article 5, fourth paragraph)*

Identite et adresse du destinataire / Identity and address of the addressee / --:

**Industrial Blade Company
224 Milvan Drive
North York, Ontario M9L 2A5**

IMPORTANT

LE DOCUMENT CI-JOINT EST DE NATURE JURIDIQUE ET PEUT AFFECTER VOS DROITS ET OBLIGATIONS. LES «ELEMENTS ESSENTIELS DE L'ACTE» VOUS DONNENT QUELQUES INFORMATIONS SUR SA NATURE ET SON OBJET IL EST TOUTEFOIS INDISPENSABLE DE LIRE ATTENTIVEMENT LE TEXTE MEME DU DOCUMENT IL PEUT ETRE NECESSAIRE DE DEMANDER UN AVIS JURIDIQUE

SI VOS RESSOURCES SO NT INSUFFISANTES, RENSEIGNEZ-VOUS SUR LA POSSIBILITE D'OBTENIR L'ASSISTANCE JUDICIAIRE ET LA CONSULTATION JURIDIQUE SOIT DANS VOTRE PAYS SOIT DANS LE PAYS D'ORIGINE DU DOCUMENT

LES DEMANDES DE RENSEIGNEMENTS SUR LES POSSIBILITES D'OBTENIR L'ASSISTANCE JUDICIAIRE OU LA CONSULTATION JURIDIQUE DANS LE PAYS D'ORIGINE PEUVENT ETRE ADRESSEES A:

The Legal Aid Society Volunteer Division, Community Law Offices
230 E 106th St
New York, NY 10029-4000
212-426-3000

IMPORTANT

THE ENCLOSED DOCUMENT IS OF A LEGAL NATURE AND MAY AFFECT YOUR RIGHTS AND OBLIGATIONS. THE 'SUMMARY OF THE DOCUMENT TO BE SERVED' WILL GIVE YOU SOME INFORMATION ABOUT ITS NATURE AND PURPOSE YOU SHOULD HOWEVER READ THE DOCUMENT ITSELF CAREFULLY IT MAY BE NECESSARY TO SEEK LEGAL ADVICE

IF YOUR FINANCIAL RESOURCES ARE INSUFFICIENT YOU SHOULD SEEK INFORMATION ON THE POSSIBILITY OF OBTAINING LEGAL AID OR ADVICE EITHER IN THE COUNTRY WHERE YOU LIVE OR IN THE COUNTRY WHERE THE DOCUMENT WAS ISSUED.

ENQUIRIES ABOUT THE AVAILABILITY OF LEGAL AID OR ADVICE IN THE COUNTRY WHERE THE DOCUMENT WAS ISSUED MAY BE DIRECTED TO:

The Legal Aid Society Volunteer Division, Community Law Offices
230 E 106th St
New York, NY 10029-4000
212-426-3000